

HOUSE No. 2016

The Commonwealth of Massachusetts*House of Representatives,*

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

1 *Ordered,* That the rules of the House of Representatives for the years 2015-2016 be
 2 adopted, as follows:

3
 4 SPEAKER.

5 1. The Speaker shall take the Chair at the hour to which the House stands adjourned, call the
 6 members to order, and, on the appearance of a quorum, proceed to business. [1.] (Senate Rule 1.)

7 1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet
 8 beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in
 9 session, the Speaker shall interrupt the business then pending and shall, without debate, place
 10 before the House the question on suspension of this rule which shall be decided by a majority of
 11 members present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said

12 vote shall permit the House to remain in session until the hour of midnight; provided that the
13 session shall not continue beyond the hour of midnight, unless by unanimous consent of the
14 members present. The House shall then return to the pending business; and if no matter was
15 pending, to the next order of business. However, if the vote is in the negative, the Speaker shall
16 forthwith, and without further debate, adjourn or recess the House to a time not earlier than ten
17 o'clock A.M. on the next succeeding calendar day.

18 [Adopted Jan. 12, 1983; Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 14, 1997; May 16,
19 2000.]

20 2. The Speaker shall preserve decorum and order in the House Chamber. While in the House
21 Chamber, members, staff and guests shall be required to dress in proper and appropriate attire
22 and be courteous and professional when using electronic devices. Members, staff and guests
23 shall not take photographs or videos of, or in, the House Chamber during formal or informal
24 sessions. The use of audio-visual aids including, without limitation, videos, computers, posters,
25 displays or charts shall be permitted only upon approval of the Speaker. The Speaker also may
26 speak to points of order in preference to other members; and shall decide all questions of order,
27 subject to an appeal to the House. [2.] (2.) [With regard to appeals, see Rule 77.]

28 [Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011; Jan. 29, 2015.]

29 3. The Speaker shall declare all votes, subject to verification as hereinafter provided. [3.] (55.)
30 [See Rules 49 to 53, inclusive.]

31 [Amended Jan. 11, 1985.]

32 4. In all cases the Speaker may vote. [4.] (3.)

[Amended Jan. 11, 1985.]

4A. The Speaker may appoint a Speaker pro tempore. The Speaker pro tempore shall assist the Speaker in the coordination of policy development and the ceremonial functions of the House and shall perform such duties assigned to him by the Speaker. Upon a vacancy in the office of Speaker, the office of Speaker pro tempore shall be considered vacant.

[Adopted Jan. 26, 2005, Amended, Jan. 23, 2007.]

5. The Speaker may appoint a member to perform the duties of the Chair. In the event the Speaker fails to appoint a member to perform the duties of the Chair, the Speaker pro tempore shall be the Acting Speaker until the Speaker otherwise provides or until a vacancy in the office of Speaker occurs. In the event that the Speaker pro tempore is absent or is unable to perform the duties of Acting Speaker, the Majority Leader, the Assistant Majority Leader, the Second Assistant Majority Leader or other designee shall be the Acting Speaker. [7.] (4.)

[Amended April 18, 1979; Jan. 11, 1985; Jan. 14, 1997; Jan. 26, 2005.]

6. In case of a vacancy in the office of Speaker, or in case the Speaker or the member named by said Speaker in accordance with the preceding rule is absent at the hour to which the House stands adjourned, the senior member present shall call the House to order, and shall preside until a Speaker is elected, which shall be the first business in order. [8.] (5.)

[Amended Jan. 11, 1985, Amended, Jan. 23, 2007.]

7. At the beginning of the first year of the two year General Court the Speaker may , unless the House otherwise directs, appoint a Chaplain; and the Speaker shall promptly fill any vacancy in the office of Chaplain. [7A.] (4.)

[Amended Jan. 11, 1985; Jan. 29, 2015.]

SCHEDULING.

7A. There shall be appointed a standing committee on Steering, Policy and Scheduling consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A, but shall be authorized to meet from time to time at the call of the Chair for the purpose of assisting the members of the House of Representatives in identifying the major matters pending before the General Court, the relative urgency and priority for consideration of such matters, and alternative methods of responding to such matters by the General Court. Said committee shall schedule legislative matters in a manner that will provide for an even distribution and orderly consideration of reports of legislative committees on the daily Calendar.

The committee on Steering, Policy and Scheduling shall not be authorized to recommend changes or amendments to legislation or recommend that a matter ought to pass or ought not to pass, but shall only report asking to be discharged from further consideration of a bill, and recommending that it be referred or recommitted to another committee, provided, however, that it shall not recommend that a matter be referred or recommitted to the committee on Rules or the committees on Rules of the two branches, acting concurrently, or what date a matter shall be scheduled for consideration by the House and placed in the Orders of the Day. All reports by the committee on petitions filed or approved by the voters of a city or town, or by the mayor and city council, or other legislative body of a city or the town meeting of a town with respect to a law relating to that city or town shall be read and considered by the House at a formal or informal session before being accepted, rejected or otherwise acted upon.

75 All matters received from the Senate or reported from standing committees of the House and
76 joint standing committees of the General Court shall, unless subject to provisions of any other
77 House or joint rules, be referred to the committee on Steering, Policy and Scheduling. All
78 matters reported by said committee on Steering, Policy and Scheduling recommending that a
79 matter shall be scheduled for consideration by the House shall be placed in the Orders of the Day
80 for the next sitting. Said committee may report on a legislative matter within thirty days
81 following the day the matter was referred. If the committee fails to report a matter within thirty
82 days following the date of its reference, the Clerk shall place the matter on the Calendar of the
83 House as if it had been scheduled for consideration by said committee on Steering, Policy and
84 Scheduling.

85 [Adopted Jan. 14, 1997; Amended Jan. 26, 1999; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005.]

86 7B. The committee on Rules shall be authorized to originate and report special orders for the
87 scheduling and consideration of legislation on the floor of the House. Said committee shall not
88 be subject to the notification provisions contained in Rule 17A but may hold public hearings and
89 shall accept testimony only from the members of the House. A majority of the members
90 appointed to the committee shall constitute a quorum. When reported, such orders may be
91 amended by a two-thirds vote of the members present and voting, and shall be subject to
92 approval by a majority of the members of the House present and voting. Debate on the question
93 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this
94 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such
95 orders shall not be subject to reconsideration.

96 [Adopted Jan. 14, 1997; Amended Jan. 24, 2001; Feb. 11, 2009.]

7C. The committee on Rules may consider and make recommendations designed to improve and expedite the business and procedures of the House and its committees, and to recommend to the House any amendments to the Rules deemed necessary; provided that a majority of the members of the House present and voting shall be required to approve such recommendations.

The committee shall be privileged to report at any time.

[Adopted Jan. 14, 1997.]

7D. The Speaker shall, in consultation with the committee on Rules and the committee on Steering, Policy and Scheduling, establish a committee scheduling system that would minimize to the greatest extent possible scheduling conflicts for members of committees.

The Speaker shall determine a schedule for the House for each week relative to formal and informal sessions and shall make such schedule available to the members by Thursday of the preceding week; provided, however, that the Speaker may make, notwithstanding the provisions of Rule 7A, changes in the schedules to facilitate the business of the House in an efficient and timely fashion. The Speaker shall communicate notice of any such scheduling change to the members in writing or by way of electronic mail as soon as practicable, and whenever possible, the Speaker shall provide such notice not less than twenty-four hours before the event so rescheduled is set to commence.

[Adopted Jan. 14, 1997; January 9, 2003.]

Monitors.

116 8. Two monitors shall be appointed by the Speaker for each division of the House, whose
117 duty it shall be to see to the due observance of the rules, and, on request of the Speaker, to return
118 the number of votes and members in their respective divisions. [9.]

119 9. If a member transgresses any of the rules after being notified thereof by a monitor, it shall
120 be the duty of such monitor to report the case to the House.

121 It shall be the duty of a monitor to report his or her knowledge of the occurrence of a member
122 voting for another member, in his or her division of the House, to the Speaker of the House and
123 to the Minority Leader. [10.] [See Rules 16 and 16A.]

124 [Amended Jan. 9, 1991; May 5, 1993; Feb. 11, 2009.]

125 9A. There shall be established a Floor Division Committee for each of the four divisions of
126 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.
127 Said committee shall consist of the members assigned to the respective divisions.

128 In order to create a continuous flow of debate, each chairperson shall be responsible for
129 reviewing the daily Calendar and providing advance notice to committee members in the
130 respective divisions of all matters scheduled for consideration in the Orders of the Day. Said
131 committee chairpersons shall provide information to members of their committees on pending
132 legislation and other matters of business before the House.

133 In addition to the legislative duties, chairpersons shall oversee the physical appearance of the
134 Chamber and the various areas under the jurisdiction of the House of Representatives. Said
135 chairpersons shall be authorized to act as a committee and may meet at any time at the request of
136 at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the

137 appropriate agencies and historical commissions of the Commonwealth for the purpose of
138 requesting expeditious appraisals and necessary repairs and renovations to the interior and
139 exterior of the State House. The committee of chairpersons shall report directly to the Speaker
140 the results of all consultations.

141 [Adopted Jan. 14, 1997.]

142 CLERK.

143 10. The Clerk shall keep the Journal of the House. The Clerk shall enter therein a record of
144 each day's proceedings and, whenever practicable, submit it to the Speaker and the Minority
145 Leader before the hour fixed for the next sitting, and shall cause the same to be available daily in
146 a format to be determined by the Clerk; and provided further that a copy of said Journal shall
147 also be made available to each member of the House. Any objection to the Journal shall be made
148 before the House proceeds to the consideration of the Orders of the Day. [11.] (6.)

149 [Amended Jan. 12, 1981; Jan 11, 1985; Jan. 17, 1995; Jan. 9, 2003.]

150 10A. The Clerk shall be the official parliamentarian of the House of Representatives.

151 [Adopted Jan. 9, 1991.]

152 10B. The Clerk shall be the official keeper of records of the House of Representatives for all
153 legislative records. [Adopted Jan. 29, 2015.]

154 11. Every question of order with the decision thereof shall be entered at large in the Journal,
155 and shall be noted in an appendix, which shall also contain the rules of the House and of the two
156 branches. [12.] (6.)

157 12. The Clerk shall prepare and make available on each day of formal session a Calendar of
158 matters in order for consideration and such other memoranda as the House or the Speaker may
159 direct. The Clerk shall prepare a Calendar on which shall appear any question on passage of a
160 bill or resolve notwithstanding the objections of His Excellency the Governor which may be
161 considered forthwith at the direction of the House or Speaker.

162 When, in the determination of the Clerk, a volume of matters exists for the next legislative
163 day, the Clerk shall be authorized to prepare and cause to be made available an advance calendar
164 of the matters in order of consideration for the next legislative day and such other memoranda as
165 the House or Speaker may direct. The Clerk may indicate on the advance calendar that the
166 matters contained therein are subject to change.

167 The Clerk shall be authorized to dispense with preparing and making available a Calendar for
168 designated formal sessions of the House only after two-thirds of the members present and voting
169 consent thereto on a recorded yea and nay vote. Debate on this question shall be limited to fifteen
170 minutes, no member shall speak more than three minutes, and such question shall not be subject
171 to reconsideration.

172 The Clerk shall dispense with preparing and making available a Calendar for designated
173 Informal Sessions of the House.

174 As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under
175 this rule, he also shall cause a true copy thereof to be posted on the Legislative Web Page that is
176 generally available to all members and their staff, and reasonably promptly thereafter he shall
177 cause the members and their staff to be notified of the same by way of electronic mail. [13.] (7.)

178 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24,
179 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

180 13. Any objection to the Calendar shall be made and disposed of before the House proceeds to
181 the consideration of the Orders of the Day. [14.]

182 13A. The Clerk shall make available to all members electronically and, to the public via the
183 Internet, the text of all bills introduced and admitted for consideration in the House.

184 [Adopted, Feb. 11, 2009.]

185 MEMBERS.

186 14. No member shall stand up, to the inconvenience of others, while a member is speaking; or
187 be involved in disturbing conversation while another member is speaking in debate; or pass
188 unnecessarily between the Speaker of the House and the member speaking; or stand in the
189 passages, or in the area in front of the Chair; or stand at the Clerk's desk while a roll call is in
190 progress. [16.] [Amended Jan. 12, 1987; Jan. 9, 1989; Jan. 26, 1999.]

191 14A. [Adopted Feb. 11, 2009; Omitted Jan. 29, 2015.]

192 15. When it appears to the presiding officer that the presence of a quorum is endangered, the
193 Chair shall order the doors closed. If a quorum is doubted the Chair shall order the doors closed
194 and thereafter no member shall enter or leave the House until an initial determination has been
195 made as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is
196 present, no member shall leave the House unless by permission of the presiding officer, but
197 members shall be admitted, at any time.

198 Upon the doubting of a quorum and after ascertaining that a quorum is not present, the
199 Speaker may order a recorded attendance roll call to be taken by use of the electronic roll call
200 system.

201 Said roll call, if ordered, shall be taken at a time determined by the Speaker.

202 Members answering a quorum call shall vote “YES” on the roll call system. [17.] (11.)

203 [Amended Jan. 12, 1981; Feb. 22, 1982; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991.]

204 ETHICS.

205 16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee
206 shall consist of 11 members, 7 of whom shall be appointed by the Speaker, 4 of whom shall be
207 appointed by the Minority Leader.

208 A member appointed to the committee shall not be considered to be a member of the committee
209 subsequent to the declaration of candidacy for any other state or federal elective office.

210 The committee shall investigate and evaluate, at the direction of the Speaker, by a sworn written
211 complaint filed and delivered by a member, officer or employee to the chairman, or by a majority
212 vote of the members appointed to the Ethics committee, any matters relative to alleged violations
213 of Rule 16A by a member, officer or employee.

214 Upon the receipt of said sworn written complaint, at the direction of the Speaker or by a
215 majority vote of the members appointed to the Ethics committee, the committee shall notify any
216 person named of the nature of the alleged violation and a list of prospective witnesses, and also
217 shall notify said person of the final disposition and the recommendations, if any, of the
218 committee.

219 Any member, officer, or employee of the House named relative to an alleged violation shall
220 be afforded the opportunity to appear before the committee on Ethics with counsel.

221 All proceedings including the filing of the initial complaint shall be considered confidential
222 information.

223 If the alleged violation received in the manner described above is deemed to have merit by a
224 majority vote of the members appointed to the committee, the committee shall file a report with
225 the Clerk of the House. Said report shall be a public document. The committee shall not disclose
226 any allegation deemed to be frivolous or without merit.

227 If a majority appointed finds that any member of the House, officer, or employee has violated
228 any provision of Rule 16A, a majority appointed may, in the case of a member, recommend a
229 reprimand, censure, removal from a chairmanship or other position of authority, or expulsion;
230 and in the case of an officer or employee, a majority appointed may recommend a reprimand,
231 suspension, or removal from employment.

232 Should such an alleged violation be filed with the committee regarding a member or members
233 of the House Ethics committee, said member or members shall not participate in the committee
234 deliberations on said alleged violation.

235 Any member, officer, or employee of the House may request from the House committee on
236 Ethics or from the Legal Counsel to the House appointed pursuant to section 51 of chapter 3 of
237 the General Laws a confidential advisory opinion on the requirements of chapters 268A and
238 268B of the General Laws as well as an opinion on any other general or special law, rule or
239 regulation applicable to their official position or concerning any contemplated personal
240 action which may conflict with their official position. . The committee on Ethics or the Legal

241 Counsel to the House shall issue confidential advisory opinions and clarification in response to
242 said written request.

243 No member, officer, or employee of the House shall be penalized in any manner for having
244 acted within the guidelines of an advisory opinion from the House committee on Ethics or from
245 the Legal Counsel to the House appointed pursuant to section 51 of chapter 3 of the General
246 Laws, provided that all pertinent facts are stated in the request for an advisory opinion.

247 An opinion from the House committee on Ethics or from the Legal Counsel to the House
248 appointed pursuant to section 51 of chapter 3 of the General Laws shall be a defense in any
249 proceeding arising from said opinion or advice unless material facts were omitted or misstated by
250 the person in the request of the opinion.

251 The chairman of the Ethics committee may convene the committee at any time.

252 The chairman shall also convene the committee at the written request of at least 5 members of
253 the committee.

254 The Committee may, upon the written and signed report of two-thirds of the members of the
255 committee, file a special report containing legislation without said legislation being founded
256 upon petition which shall be referred under the provisions of Rule 24 and consistent with the
257 provisions of Joint Rule 13, to the appropriate joint standing committee. Any special report
258 containing legislation filed pursuant to this paragraph shall be germane to subject matters
259 regularly considered by the committee. The committee shall not include in any such special
260 report a bill that would have a fiscal impact as described in Rule 33.

Upon convening of the first annual session of the General Court and after the adoption of rules, all members, officers and employees of the House shall be provided with a current copy of the Code of Ethics contained in Rule 16A. [19.] (12A.)

[Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20, 2011; Feb. 11, 2009; Jan. 29, 2015.]

CODE OF ETHICS.

16A. (1.) While members, officers and employees should not be denied those opportunities available to all other citizens to acquire and retain private, economic and other interests, members, officers, and employees should exercise prudence in any and all such endeavors and make every reasonable effort to avoid transactions, activities, or obligations, which are in substantial conflict with or will substantially impair their independence of judgment.

(2.) No member, officer or employee shall solicit or accept any compensation or political contribution other than that provided for by law for the performance of official legislative duties.

(3.) No member, officer or employee shall serve as a legislative agent as defined in Chapter 3 of the General Laws regarding any legislation before the General Court.

(4.) No member, officer or employee shall receive any compensation or permit any compensation to accrue to his or her beneficial interest by virtue of influence improperly exerted from his or her official position in the House.

(5.) No member, officer or employee shall accept employment or engage in any business or professional activity, which will require the disclosure of confidential information gained in the course of, and by reason of, his or her official position.

(6.) No member, officer or employee shall willfully and knowingly disclose or use confidential information gained in the course of his or her official position to further his or her own economic interest or that of any other person.

(7.) Except as provided in Rule 49, no member shall cast a vote for any other member, nor shall any officer or employee vote for any member, except that the Clerk or an assistant Clerk may record a vote for a member who votes late under the provisions of Rule 52, or is prohibited from voting from his desk due to a malfunction of the electronic roll call voting system; provided the Clerk's action shall not be construed as voting for said member.

(8.) No member shall use profane, insulting, or abusive language in the course of public debate in the House Chamber or in testimony before any committee of the General Court.

(9.) No member, officer or employee shall employ anyone from public funds who does not perform tasks which contribute substantially to the work of the House and which are commensurate with the compensation received; and no officer or full time employee of the House shall engage in any outside business activity during regular business hours, whether the House is in session or not. All employees of the House are assumed to be full time unless their personnel record indicates otherwise.

(10.) No member, officer or employee shall accept or solicit compensation for non-legislative services which is in excess of the usual and customary value of such services.

(11.) No member, officer or employee shall accept or solicit an honorarium for a speech, writing for publication, or other activity from any person, organization or enterprise having a direct interest in legislation or matters before any agency, authority, board or commission of the Commonwealth which is in excess of the usual and customary value of such services.

304 (12.) No member, officer or employee shall knowingly accept any gifts from any legislative
305 or executive agent as prohibited by law. No member, officer or employee shall accept any gift
306 from any person or entity having a direct interest in legislation before the General Court as
307 prohibited by law. (For the purposes of this paragraph, the definitions of “gift” and “person” are
308 defined in chapter 268B, section 1(g) and 1(m).).

309 (13.) No member shall convert campaign funds to personal use in excess of reimbursements
310 for legitimate and verifiable campaign expenditures. Members shall consider all proceeds from
311 testimonial dinners and other fundraising activities as campaign funds.

312 (14.) No member shall serve on any committee or vote on any question in which his/her
313 private right is immediately concerned, distinct from the public interest. [19.]

314 (15.) No member, officer or employee shall violate the confidentiality of any proceeding
315 before the Ethics committee. [19A.]

316 [Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001; Feb. 11, 2009; Jan. 29, 2015.]

317 16B. The Committee on Personnel and Administration shall develop and conduct an ethics
318 law training program for every member, officer and employee of the House; provided further,
319 that said training program shall include, without limitation, a detailed review of the requirements
320 and prohibitions of chapter 268A and chapter 268B of the General Laws; and provided further,
321 that said training program shall be offered no later than July 1 of the first biennial session of the
322 General Court and shall be mandatory for all members, officers and employees.

323 [Adopted Jan. 9, 2003, Amended Feb. 11, 2009; Jan 20, 2011.]

324 16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical conduct of
325 public officials shall, after their first reading, be referred to the committee on Ethics, for report
326 on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to
327 such measures by the committee, unless directly pertaining to ethics. [Adopted Feb. 11, 2009.]

328 COMMITTEES.

329 17. At the beginning of the first year of the two year General Court, standing committees
330 shall be appointed as follows:

331 A committee on Rules;

332 (to consist of 15 members).

333 A committee on Ways and Means;

334 (to consist of 35 members).

335 A committee on Bills in the Third Reading;

336 (to consist of 3 members).

337 A committee of each Floor Division;

338 (to consist of the members of each division).

339 A committee on Ethics;

340 (to consist of 11 members).

341 A committee on Personnel and Administration;

342 (to consist of 13 members).

343 A committee on Post Audit and Oversight;

344 (to consist of 11 members).

345 A committee on Steering, Policy and Scheduling;

346 (to consist of 11 members).

347 A committee on Bonding, Capital Expenditures and State Assets;

348 (to consist of 11 members).

349 A committee on Global Warming and Climate Change;

350 (to consist of 11 members).

351 A committee on Redistricting;

352 (to consist of 11 members).

353 A committee on Technology and Intergovernmental Affairs;

354 (to consist of 11 members).

355 Committee meetings, insofar as practicable, shall not be scheduled in conflict with formal

356 sessions of the House of Representatives. [20.] (12, 12A, 12B.)

357 [Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6,

358 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005, Feb. 11, 2009; Jan. 29, 2015.]

359 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly
360 requires otherwise, have the following meanings:

361 “Deliberation”, a verbal exchange between a quorum of members of a committee attempting
362 to arrive at a decision on any public business within its jurisdiction.

363 “Emergency”, a sudden generally unexpected occurrence or set of circumstances demanding
364 immediate action.

365 “Executive conference”, any meeting or part of a meeting of a committee which is closed to
366 certain persons for deliberation on certain matters.

367 “Executive session”, any meeting or part of a meeting of a committee wherein the committee
368 is voting on legislation and where public participation is limited to observance.

369 “Meeting”, any corporal convening and deliberation of a committee for which a quorum is
370 required in order to make a decision at which any public policy matter over which the committee
371 has supervision, control, jurisdiction or advisory power is discussed or considered; provided,
372 however, that “meeting” shall not include an on-site visitation or inspection of any project or
373 program.

374 “Quorum”, a simple majority of a committee unless otherwise defined by constitution, rule or
375 law applicable to such committee; provided further, that a quorum shall be presumed to be
376 present unless otherwise doubted.

377 (b) All meetings, except executive conferences, of House standing and special
378 committees, shall be open to the public and any person shall be permitted to attend any meeting
379 except as otherwise provided pursuant to this rule or Rule 7A.

380 No quorum of a committee shall meet in private for the purpose of deliberation except as
381 provided pursuant to this rule.

382 No executive session shall be held until: (i) the committee has first convened in an open
383 session for which notice has been given; (ii) the presiding officer has stated the authorized
384 purpose of the executive session; (iii) a majority of the members of the committee present have
385 voted to go into executive session and the vote of each member has been recorded on a roll call
386 vote and entered into the minutes: and (iv) the presiding officer has stated before the executive
387 session if the committee will reconvene after the executive session.

388 (c) Executive conferences shall be held only for the following purposes: (i) to discuss the
389 reputation, character, physical condition or mental health rather than the professional
390 competence of a member, officer or employee;

391 (ii) to consider the discipline or dismissal of, or to hear complaints or charges brought against
392 a member, officer or employee; (iii) to discuss strategy with respect to litigation if an executive
393 session or other open meeting may have a detrimental effect on the legal position of the
394 committee; or (iv) to consider the purchase, exchange, lease or value of real property, if such
395 discussions may have a detrimental effect on the negotiating position of the Commonwealth or a
396 person, firm or corporation.

397 A member, officer or employee subject to an executive conference pursuant to clause (i) or
398 clause (ii) shall be notified in writing no less than 48 hours prior to the proposed executive
399 conference; provided, however, that upon agreement of the parties involved, the notification
400 requirements of clause (i) and clause (ii) may be waived. Upon request of the member, officer or

401 employee subject to an executive conference pursuant to clause (i) or clause (ii) the executive
402 conference shall be open to the public.

403 A member, officer or employee subject to an executive conference pursuant to clause (i) or
404 clause (ii) shall have the right to: (a) be present at such executive conference during discussions
405 or considerations which involve that member, officer or employee; (b) have counsel or a
406 representative of his/her own choosing present and attending for the purpose of advising said
407 member, officer or employee; provided, however, that said counsel or representative shall not
408 actively participate in the executive conference; and (c) to speak on his/her own behalf to the
409 committee assembled in executive conference.

410 (d) This rule shall not apply to any chance meeting or social meeting at which matters relating
411 to official business are discussed so long as no final agreement is reached. No chance meeting or
412 social meeting shall be used in circumvention of the spirit or requirements of this section to
413 discuss or act upon a matter over which the committee has supervision, control, jurisdiction, or
414 advisory power.

415 (e) Except pursuant to an emergency, a notice and agenda of every meeting of a committee
416 subject to this rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the
417 bulletin board outside the Clerk's Office and in such other places as are designated in advance
418 for such purpose by said Clerk, made available to all members electronically and made available
419 to the public via the Internet at least forty-eight hours, including Saturdays, but not Sundays and
420 legal holidays, prior to the time of such meeting and a list of the bills, petitions, and resolutions
421 to be considered for a vote or other action by the committee. The notice shall include the date,
422 time and place of such meeting. Such filing and posting shall be the responsibility of the

committee scheduling such meeting. The notice and posting requirements shall not apply to executive conferences held pursuant to clause (i) or clause (ii) of part (c) of this rule unless the member, officer or employee subject to the executive conference requests that the executive conference be open to the public,

(f) A committee shall maintain accurate records of its meetings and hearings setting forth the date, time and place thereof, and recording any action taken at each meeting, hearing, executive conference or executive session. All votes requested to be taken in executive sessions shall be recorded roll call votes and shall become a part of the record of said executive sessions. The record of each meeting shall become a public record and be available to the public; provided, however, that the records of any executive conference shall remain secret as long as publication may defeat the lawful purposes of the executive conference.

(g) Upon prior notification and approval of the chair, a meeting of a committee may be recorded by a person in attendance by means of a recorder or any other means of audio/visual reproduction; provided, however, that said recording shall not interfere with the conduct of the meeting. Executive conferences conducted pursuant to clause (i) or clause (11) of part (c) of this rule shall not be recorded unless upon the request of the member, officer or employee who is subject to said executive conference. Executive conferences conducted pursuant to clause (iii) or (iv) of part (c) of this rule may be recorded at the discretion of the chair.

(h) Copies of all redrafted bills that are to be voted on at an executive session by the House Ways and Means Committee shall be available to all members of the committee electronically in the form they will be considered no less than twenty-four hours prior to their consideration;

444 provided, however, that said committee may vote on a bill that has not been available for said
445 period of time by vote of a majority of the committee members present.

446 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987; Jan. 9, 1991; May 5, 1993; Jan. 17, 1995;
447 Jan. 14, 1997; Jan. 9, 2003, Jan. 23, 2007, Feb. 11, 2009.]

448 17B. Whenever any member of a House committee present at the committee meeting so
449 requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of
450 the full committee. Such votes shall be recorded on appropriate forms that show all votes for and
451 against the particular committee action; provided that votes may also be recorded in LAWS. The
452 record of all such roll calls shall be kept in the offices of the committee and shall be posted on
453 the website of the General Court within 48 hours of the vote for public inspection.

454 No report of a House committee on any legislation shall be final until those members of the
455 committee present and voting with the majority have been given the opportunity to sign such
456 appropriate forms before the report is made to the House. No signature shall be valid unless the
457 forms to which the signatures are affixed include the substantially complete text of the legislation
458 being reported.

459 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987, Amended Jan. 29, 2015.]

460 17C. There shall be a committee on Personnel and Administration on the part of the House
461 consisting of thirteen members. Said committee shall be responsible for the allocation of office
462 space as equitably as possible among the various members and joint and standing committees on
463 the part of the House and their respective staff.

464 The committee shall allocate space among the various committees on the part of the House
465 taking into account the work load, duties and responsibilities and size of staff of each.

466 The Speaker may make temporary office assignments in accordance with the foregoing
467 principles.

468 The committee on Personnel and Administration may from time to time make changes in the
469 assignment of office space for committees and the various staffs in accordance with the
470 established standards.

471 Said committee shall establish the staffing levels and positions for each joint and standing
472 committee of the House together with a classification plan for all employees of the House of
473 Representatives.

474 For each person who is employed or is to be employed by a joint or standing committee on
475 the part of the House, each committee chairman shall nominate each such person and the House
476 members of the committee by a majority vote shall vote on whether to approve each said
477 nominee. The House members of the committee shall approve such persons whose character and
478 qualifications are acceptable to the majority of the House members of the committee and are in
479 accordance with the qualifications established by the Personnel and Administration committee.

480 The chairman of each standing committee shall have the authority to discharge an employee.

481 The House staff members of each committee shall be appointed solely on the basis of fitness
482 to perform the duties of their respective positions and consistent with section 4 of chapter 151B
483 of the General Laws. The committee staff shall not:

484 (1) engage in any work other than committee business during business hours; and

485 (2) be assigned any duties other than those pertaining to committee business.

486 The committee shall meet on request of the chairman or any 3 members of the committee.

487 Any such meeting requested shall be convened on or within the fifth business day following such
488 request. All such requests shall be in writing and forwarded to the chairman and each member of
489 the committee.

490 Funds shall be allocated from the budget to carry out the determination of the committee.

491 [Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991; Feb. 11, 2009;
492 Jan. 29, 2015.]

493 17D. [Omitted Jan. 26, 2005.]

494 17E. [Omitted Jan. 26, 2005.]

495 17F. [Omitted Jan. 26, 2005.]

496 17G. The committee on Bonding, Capital Expenditures and State Assets shall review all
497 legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see
498 Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said
499 committee shall be responsible for evaluating such legislation and determining the
500 appropriateness of enacting legislation containing increased bond authorizations for the
501 Commonwealth. The committee shall periodically review and hold open public hearings,
502 accepting oral and written testimony on the status of the bonds and notes of the Commonwealth,
503 including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation
504 debt. The committee shall also, in its continuing study of the state's bonding practices, review

505 the Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and
506 (3) indirect obligations.

507 Any bill providing for borrowing for new projects, and requiring the Commonwealth to issue
508 bonds for such purpose, shall, prior to its reference to the committee on Ways and Means, be
509 referred to the committee on Bonding, Capital Expenditures and State Assets for report on its
510 relationship to the finances of the Commonwealth. A measure may initially be referred to a joint
511 committee with jurisdiction over the subject matter before being referred to the committee on
512 Bonding, Capital Expenditures and State Assets.

513 The committee on Bonding, Capital Expenditures and State Assets shall consult with the various
514 agencies of the executive branch and the office of the Treasurer and Receiver-General relative to
515 project expenditures, availability of funds, the sale of new bonds and the resultant debt
516 obligations, federal reimbursements and other related funding and bonding issues.

517 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to
518 conduct hearings relative to the statutory authority of the executive branch and the Treasurer and
519 Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital
520 funds by the various agencies and authorities of the Commonwealth. The committee shall
521 determine whether such laws, administrative regulations and programs are being implemented in
522 accordance with the intent of the General Court. The committee shall be authorized to make
523 recommendations for statutory changes and changes in the Constitution which would grant
524 discretion to the General Court over the allotment and expenditure of fund authorized by capital
525 appropriations.

526 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to report
527 to the General Court from time to time on the results of its hearings and to file drafts of
528 legislation and proposals for amendments to the Constitution necessary to carry its
529 recommendations into effect.

530 Messages from the Governor setting terms of bonds and notes, or for the de-authorization or
531 authorization of bonds and notes shall be referred to the committee on Bonding, Capital
532 Expenditures and State Assets.

533 [Adopted Feb. 11, 2009.]

534 [Note: House Rule 18 was replaced by a new text - For the revised text of Rule 18, see
535 House order No. 56 of Feb. 19, 2015] 18. The Speaker shall appoint, and may recommend the
536 removal of, the Speaker pro Tempore, the Majority Floor Leader, Assistant Majority Floor
537 Leader, and Second Assistant Majority Floor Leader. The Minority Leader shall appoint, and
538 may recommend the removal of, the Assistant Minority Floor Leader, Second Assistant Minority
539 Floor Leader, and Third Assistant Minority Floor Leader, Ranking minority member of the Ways
540 and Means committee, Assistant Ranking minority member of the Ways and Means committee,
541 Ranking minority member of the committee on Rules, Ranking minority member of the
542 committee on Financial Services, Ranking minority member of the committee on Health Care
543 Financing, Ranking minority member on the committee on the Judiciary, Ranking minority
544 member of the committee on Bonding, Capital Expenditures, and State Assets, Ranking minority
545 member of the committee Public Safety and Homeland Security, Ranking minority member on
546 the committee on Transportation, and Ranking minority member of the committee on Economic

547 Development and Emerging Technologies. The Minority Leader shall be that member of the
548 minority party who is selected for that position by the members of his/her party.

549 Each of the foregoing appointments and/or removals shall be ratified by a majority vote of the
550 respective party caucus. In the event that an appointment is rejected by such caucus another
551 appointment shall be made by the person designated to make the initial appointment, which shall
552 also be subject to ratification in the same manner.

553 The Speaker shall appoint, and may recommend the removal of, the chair of each standing
554 committee. The Speaker shall appoint, and may recommend the removal of, the vice chair and
555 assistant vice chair of the Ways and Means committee, the vice chair of the Post Audit and
556 Oversight committee, the vice chair of the committee on Rules, the vice chair of the committee
557 on Financial Services, the vice chair of the committee on Health Care Financing, the vice chair
558 of the committee on Bonding, Capital Expenditures, and State Assets, the vice chair of the
559 committee on State Administration and Regulatory Oversight, and the vice chair of the
560 committee on Economic Development and Emerging Technologies.

561 The majority party shall then vote to accept or reject each such appointment and/or
562 recommendation for removal by a majority vote.

563 In the event that any such appointment is rejected by the caucus, the procedure of this rule
564 shall be repeated until an appointment for the said position has been approved by the caucus. A
565 vacancy in any position to which the provisions of this section apply shall be filled in the same
566 manner as provided in this section for original appointment.

The Speaker and the Minority Leader may, without a majority vote of their respective parties, remove a member appointed to pursuant to this rule who has been criminally indicted by a court of competent jurisdiction.

[Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23, 2007; Feb. 11, 2009; Jan 23, 2013; Jan. 29, 2015.]

18A. There shall be 1 member of the minority party on all committees of conference and 1 on the committee on Bills in the Third Reading. On all other standing and joint committees, the percent of minority party membership shall be at least equal to the percent of minority party membership in the House of Representatives as of the first day of the session; provided, further, that where such percentage results in a fraction of a number, the fraction shall be rounded off to the nearest whole; provided, however, that the minority party shall under no circumstances have less than 4 members on the committee on Ethics, 4 on the committee on Personnel and Administration, 3 on the committee on Rules and 7 on the committee on Ways and Means. In no case shall minority party representation be less than 2 members on all other standing and joint committees.

The Speaker and the Minority Leader shall appoint the members of their respective party caucuses to be assigned to each standing committee. The Speaker shall appoint the vice chair of each standing committee. The appointments, except those to which Rule 18 applies, shall be voted upon together and shall be subject to ratification by majority vote of the appropriate party caucus. No member shall be removed from a standing committee except upon the recommendation of the Speaker or Minority Leader, as the case may be, subject to the ratification by their respective caucuses; provided, however, that the Speaker and the Minority

589 Leader may, without a majority vote of their respective parties, remove a member appointed to
590 pursuant to this rule who has been criminally indicted by a court of competent jurisdiction; and
591 provided further, that if any vacancy occurs in a position to which Rule 18 does not apply,
592 subsequent to the initial ratification, the Speaker or Minority Leader shall fill such vacancy.

593 The Speaker shall announce committee appointments of majority party members, and the
594 member first named shall be chairman, and the second named member shall be vice-chairman.
595 The Minority Leader shall announce committee appointments of minority party members. (13.)

596 [Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997; Feb. 11, 2009.]

597 18B. All votes on ratification by the caucus required by these rules shall be by written ballot
598 and shall require a majority of those present and voting. [Adopted Jan. 11, 1985.]

599 18C. [Adopted, Jan. 11, 1985, Omitted Jan. 24, 2001.]

600 19. A majority and minority party caucus may be called by the Speaker or Minority Leader,
601 respectively, or upon petition of 25 percent of the members of the respective party caucus. A
602 caucus may entertain resolutions, motions, or other means of ascertaining the sense of the
603 respective party members on any subject. (13B.)

604 [Adopted Nov. 17, 1983; Amended Jan. 11, 1985; Jan. 29, 2015.]

605 19A. The majority party and minority party shall establish caucus rules that shall dictate the
606 procedures of each caucus.

607 [Adopted Nov. 17, 1983; Amended Jan. 14, 1997.]

20. The committee on Ways and Means shall report in appropriation bills the total amount appropriated. The General Appropriation Bill shall be available to the members at least 7 calendar days prior to consideration thereof by the House. [25.] (27A.)

[Amended Jan. 11, 1985; Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005; Jan. 29, 2015.]

20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by 5 o'clock P.M. within the close of 3 business days of said General Appropriation bill being made available in a format to be determined by the Clerk and release of said document by said Clerk if the release of said document occurs by 2 o'clock P.M. Otherwise, the day following the release shall be considered the first business day. The Clerk, with the assistance of the committee on Ways and Means, shall categorize the subject-matter of the amendments and arrange such amendments for consideration sequentially by subject as appearing in the published version of the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and Means, shall categorize the subject-matter of the amendments and arrange such subject matters for consideration as determined by the committee on Ways and Means. Debate on the General Appropriation Bill shall not commence until a date and time to be determined by the House which is subsequent to the designated time established for filing of amendments.

Before the main question on the General Appropriation Bill is placed before the House, an amendment may be postponed or withdrawn at the request of the primary sponsor of the amendment or postponed by the committee on Ways and Means; provided that further consideration of any amendment so postponed shall take place immediately subsequent to consideration of the amendments within the particular subject-matter to which the postponed

630 amendment was assigned according to the provisions of paragraph one of said rule; provided that
631 if more than one amendment is so postponed, subsequent consideration of said amendments shall
632 be in the order determined by the committee on Ways and Means; provided further, an
633 amendment so postponed shall not be subsequently considered outside of its assigned subject-
634 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments
635 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with
636 said Clerk and shall include an original copy only; and provided further that perfecting or
637 substitute amendments, including, but not limited to an amendment consolidating more than one
638 amendment, may be submitted by the committee on Ways and Means during consideration of the
639 subject category to which the amendment or amendments were assigned; provided, however, that
640 an amendment may be removed from the consolidated amendment at the request of the sponsor
641 of said amendment for the purpose of it being offered as a further amendment to the consolidated
642 amendment.

643 [Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan 20, 2011;
644 Jan. 29, 2015.]

645 20B. When the General Appropriation Bill is reported by the committee on Ways and Means it
646 shall be made available to all members electronically and to the public via the Internet in a
647 format to be determined by the Speaker in consultation with the Clerk. The committee on Ways
648 and Means shall provide the membership with a copy of its proposed text of said General
649 Appropriation Bill, and an executive summary which shall include a list of outside sections, and
650 a short summary of each outside section prior to full House consideration of such bill. When the
651 House considers said General Appropriation Bill, it shall be read a second time and forthwith

652 ordered to a third reading without any amendments. The bill shall be immediately read a third
653 time and then be open to amendments as previously determined by the House.

654 [Adopted Jan. 9, 2003, Jan. 23, 2007; Feb. 11, 2009.]

655 21. Whenever the committee on Ways and Means reports an appropriation bill or capital
656 outlay bill, it shall make available to the members a report which includes an explanation of any
657 increase or decrease of five percent or more which results in an increase or decrease of one
658 million dollars or more for any item for which the Governor has made a recommendation, and an
659 explanation for the deletion of an item recommended by the Governor, and for the addition of an
660 item for which the Governor has made no recommendation. [25A.] (27A.)

661 22. Bills and resolves when ordered to a third reading shall be referred forthwith to the
662 committee on Bills in the Third Reading, which shall examine and correct them, for the purpose
663 of avoiding repetitions and unconstitutional provisions, and insuring accuracy in the text and
664 references, and consistency with the language of existing statutes; but any change in the sense or
665 legal effect, or any material change in construction, shall be reported to the House as an
666 amendment.

667 The committee may consolidate into 1 bill any 2 or more related bills referred to it, whenever
668 legislation may be simplified thereby.

669 Resolutions received from and adopted by the Senate or introduced or reported into the House,
670 after they are read and before they are adopted, shall be referred to the committee on Bills in the
671 Third Reading.

Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House for concurrence, shall, subsequently to the procedure required by rule 35 in respect to amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

When a bill, resolve or resolution has been so referred, no further action shall be taken until report thereon has been made by the committee. Accompanying said report shall be a written explanation prepared by the committee defining any changes made in a bill, resolve or resolution so as to facilitate the proceedings of the House.

If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-thirds vote because it contains an emergency preamble, or if it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve, or on a wrapper or label attached thereto. [26.] (33.)

[Amended Jan. 12, 1983; Jan. 11, 1985; May 5, 1993; Jan. 29, 2015.]

23. Bills and resolves prepared for final passage shall be certified by the Clerk of the House, after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to be properly prepared, the Clerk shall so endorse on the envelope thereof; and the question on

enactment or final passage or adopting an emergency preamble shall be taken thereon, without further reading, unless specifically ordered.

When a bill prepared for final passage contains an emergency preamble or when it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution, or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the Clerk shall plainly indicate the fact on the envelope thereof. [27.] (34.) [See Rule 40.]

[Amended Jan. 12, 1983; Jan. 29, 2015.]

23A. No member of the House, except the Speaker, Speaker pro tempore, Majority Leader, Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the Committee on Ways and Means and committee chairmen with respect to committee business, shall receive privileges or compensation for postage which is greater than seventy-five percent of the amount allowed as standard practice during the 186th biennial session of the General Court, as determined by the House Business Manager.

[Adopted Jan. 11, 1985; Amended Jan. 24, 2001; Jan. 26, 2005; Jan. 20, 2011.]

716 24. (1) Petitions, recommendations and reports of state officials, departments, commissions
717 including legislative commissions, and boards, special reports including legislation initiated by
718 the Committee on Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding,
719 Capital Expenditures and State Assets pursuant to Rule 17G and reports of special committees
720 and commissions including legislative commissions, shall be filed with the Clerk in a format to
721 be determined by said Clerk, who shall, unless they are subject to other provisions of these rules
722 or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate
723 committees, subject to such change of reference as the House may make. The reading of all such
724 documents may be dispensed with, but they shall be entered in the Journal of the same or the
725 next legislative day after such reference except as provided in joint rule thirteen.

726 (2) All orders, including motions or orders proposed for joint adoption, resolutions and other
727 papers intended for presentation, except those hereinbefore mentioned, shall be filed with the
728 Clerk in a format to be determined by said Clerk, who shall, prior to the procedure required by
729 other provisions of these rules or of the rules of the two branches, refer them to the committee on
730 Rules.

731 (3) Petitions and other papers so filed which are subject to the provisions of Joint Rule 7A,
732 7B, or 9, shall be referred by the Clerk to the committee on Rules. Petitions and other papers so
733 filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to
734 the procedure required by said rule, be referred by the Clerk to the committee on Rules. The
735 reading of all such papers may be dispensed with, but they shall be entered in the Journal of the
736 same or the next legislative day after such reference.

(4) Matters which have been placed on file during the preceding year may be taken from the files by the Clerk upon request of any member or member-elect; and matters so taken from the files shall be referred or otherwise disposed of as provided above.

(5) Recommendations and special reports of state officials, departments, commissions and boards, reports of special committees and commissions, bills and resolves accompanying petitions, recommendations and reports, and resolutions shall be made available under the direction of the Clerk, who may cause to be made available, with the approval of the Speaker, any other documents filed as herein provided.

(6) All such legislation and reports filed with the Clerk shall be submitted in a format prescribed by said Clerk. Said documents shall contain the name or names of the primary sponsors and a list of the names of all petitioners praying for the legislation. Additional names may be added to the list of the petitioners; provided, however, that, such additional names shall be submitted in a format to be determined by the Clerk.

(7) Any petition so submitted that is a refile of a measure submitted in a previous session shall include, in the appropriate space provided, the session year for which the measure was filed and the House or Senate bill number or docket number assigned to such measure in such previous session.

(8) Debate upon the suspension of this rule shall be limited to 10 minutes, 3 minutes for each member, and the Speaker shall recognize the member presenting the order, resolution or petition first; provided, however, that suspension of this rule shall require unanimous consent of the members present. Any order, except such order that would amend the Rules of the House, resolution or petition referred to the committee on Rules after the question of suspension of this

rule has been negatived, or any order, resolution or petition filed after the beginning of the session and referred to the committee on Rules, shall not be discharged from said committee except by unanimous consent of the House. Motions to discharge the committee on Rules shall be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]

[Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Feb. 11, 2009; Jan. 29, 2015.]

25. Every petition for legislation shall be accompanied by a bill or resolve embodying the legislation prayed for. [29.] [See Joint Rule 12.]

26. When the object of an application can be secured without a special act under existing laws, or, without detriment to the public interests, by a general law, the committee to which the matter is referred shall report such general law or ought not to pass, as the case may be. The committee may report a special law on matters referred to it upon (1) a petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town, with respect to a law relating to that city or town; (2) a recommendation by the Governor; or (3) matters relating to erecting and constituting metropolitan or regional entities, embracing any two or more cities and towns, or established with other than existing city or town boundaries, for any general or special public purpose or purposes. [30.] (16.) [See Joint Rule 7.]

[Amended Feb. 11, 2009.]

27. With the exception of matters referred to the committee on Rules under the provisions of paragraph (3) of rule24 , committees shall report on all matters referred to them. The committee on Ways and Means shall report the General Appropriation Bill not later than the second

781 Wednesday of May; and provided further that said committee shall make available to the
782 members all data compiled for justification of budgetary recommendations in all appropriation
783 bills. [33.]

784 [Amended April 18, 1979; Jan. 14, 1997; Jan. 29, 2015.]

785 27A. [Omitted Jan. 23, 2007.]

786 28. (1) Motions directing the committee on Ways and Means to report certain matters to the
787 House, or motions discharging said committees from further consideration of certain matters,
788 shall not be considered until the expiration of seven calendar days and shall require a majority
789 vote of the members present and voting for adoption. Committees so directed to report shall file
790 a report with the Clerk within 4 legislative days. The committee on Ways and Means may not be
791 directed to report or be discharged from further consideration of any appropriation or capital
792 outlay measure.

793 (2) The committee on Rules, except as provided in Rule 24, and the committee on Bills in the
794 Third Reading shall not be discharged from consideration of any measure or be directed to report
795 on any measure within 10 calendar days of its reference without the unanimous consent of the
796 House, or after such 10 day period except by a vote of a majority of the members present and
797 voting thereon.

798 (3) Matters discharged under the provisions of this rule shall be placed in the Orders of the
799 Day for the next sitting. Petitions discharged under the provisions of this rule shall be considered
800 as favorably reported and the bill, resolve, resolution or order accompanying such petitions shall
801 be placed in the Orders of the Day for the next sitting.

802 (4) During the last week of the session the provisions of paragraphs (1) and (3) of this rule
803 shall be inoperative.

804 (5) A second motion to discharge a matter from a committee or a second motion to direct a
805 committee to report a matter shall not be entertained until the first such motion has been disposed
806 of.

807 (6) As an alternative procedure to that provided under the provisions of this rule, the members
808 of the House may, by filing a petition signed by a majority of the members elected to the House,
809 discharge the House committee on Ways and Means, the House committee on Bills in the Third
810 Reading, and the House committee on Rules from further consideration of a legislative matter.
811 Seven days following the filing of the petition with the House Clerk, the committee shall be
812 discharged from further consideration of the legislative matter specified in the petition and the
813 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the
814 House is meeting.

815 (7) For the purpose of this rule, matters not appearing on the Calendar which are not before
816 any committee shall be deemed to be before the Rules committee. Notwithstanding the previous
817 sentence, a bill which has been engrossed by the House and Senate, shall be placed before the
818 House for enactment. Any member may request to the House that a matter, engrossed in the
819 House and Senate, returned for final passage by the engrossing division and reviewed and
820 released by the Committee on Bills in Third Reading be placed before the House for enactment.
821 The Speaker shall, in response to such a request of a member, put the matter before the House at
822 the conclusion of the matter then pending.

823 (8) This rule shall not be suspended unless by unanimous consent of the members present.

824 (27C, 32A.)

825 [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9,
826 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

827 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later
828 than 45 days following the day the matter was referred to it. The Clerk shall indicate on the
829 Calendar entry of every matter before the Committee on Bills in the Third Reading the date that
830 said matter was referred to said committee.

831 [Adopted Jan. 11, 1985; Amended Jan. 9, 2003; Jan. 29, 2015.]

832 REGULAR COURSE OF PROCEEDINGS.

833 Petitions.

834 29. The member presenting a petition shall endorse his/her name thereon; and the reading
835 thereof shall be dispensed with, unless specially ordered. [37.] (18.)

836 [Amended Jan. 11, 1985.]

837 Motions Contemplating Legislation, etc.

838 30. All motions contemplating legislation shall be founded upon petition, except as follows:

839 The committee on Ways and Means may originate and report appropriation bills as provided
840 in rule twenty. Messages from the Governor shall, unless otherwise ordered, be referred to the
841 appropriate committee, which may report by bill or otherwise thereon. A similar disposition

842 shall, unless otherwise ordered, be made of reports by state officers and committees authorized to
843 report to the Legislature, and similar action may be had thereon.

844 Messages from the Governor returning appropriation bills, or parts of appropriation bills, with
845 objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report
846 of the committee on Ways and Means. [40.] (19.)

847 [Amended Jan. 24, 2001.]

848 Bills and Resolves.

849 31. Bills shall be drafted in a format approved by the Counsel to the House and submitted in a
850 format to be determined by the Clerk. Bills amending existing laws shall not provide for striking
851 words from, or inserting words in, such laws, unless such course is best calculated to show
852 clearly the subject and nature of the amendment. No repealed law, and no part of any repealed
853 law, shall be re-enacted by merely reference. [42.] (17.)

854 [Amended Jan. 9, 2003; Jan. 26, 2005; Jan. 29, 2015.]

855 32. If a committee to which a bill is referred reports that the same ought not to pass, the
856 question shall be "Shall this bill be rejected?". If the question on rejection is negatived, the bill, if
857 it has been read but once, shall go to a second reading without question; otherwise it shall be
858 placed in the Orders of the Day for the next day, pending the question on ordering to a third
859 reading, or to engrossment, as the case may be. [43.] (30.)

860 32A. [Omitted Jan. 26, 2005.]

861 33. Bills involving an expenditure of public money or grant of public property, or otherwise
862 affecting the state finances, unless the subject matter has been acted upon by the joint committee

863 on Ways and Means, shall, after their first reading, be referred to the committee on Ways and
864 Means, for report on their relation to the finances of the Commonwealth.

865 New provisions shall not be added to such bills by the committee on Ways and Means, unless
866 directly connected with the financial features thereof.

867 Orders reported in the House or received from the Senate involving the expenditure of public
868 money for special committees, shall, before the question is taken on the adoption thereof, be
869 referred to the committee on Ways and Means, whose duty it shall be to report on their relation
870 to the finances of the Commonwealth.

871 Every such bill involving a capital expenditure for new projects, or an appropriation for
872 repairs, or any legislation, the cost of which, in the opinion of the committee, exceeds the sum of
873 one hundred thousand dollars when reported into the House by the committee on Ways and
874 Means, shall be accompanied by a fiscal note indicating the amount of public money which will
875 be required to be expended to carry out the provisions of the proposed legislation, together with
876 an estimate of the cost of operation and maintenance for the first year if a new project is
877 involved. [44.] (27.)

878 [Amended April 18, 1979; Jan. 12, 1981; Jul. 17, 2003; Jan. 26, 2005.]

879 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in
880 consultation with the Clerk, to all members of the House and the public at least 24 hours in
881 advance of consideration by the House.

882 All amendments offered by members to any legislative matter in the House shall be submitted
883 in a format to be determined by the Speaker in consultation with the Clerk; and shall be

884 considered chronologically as submitted to the Clerk, except for an amendment in the second
885 degree; provided that all of said amendments shall be drafted in proper form acceptable to the
886 clerk; and provided further that there shall be available to the members a duplicate copy of each
887 amendment. (33A.)

888 [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17,
889 1995]; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

890 33B. [Omitted Jan. 26, 2005.]

891 33C. [Omitted Jan. 26, 2005.]

892 33D. [Omitted Jan. 26, 2005.]

893 33E. No consolidated amendment offered by the committee on Ways and Means shall be
894 considered by the House until the expiration of at least 30 minutes after the consolidated
895 amendment shall have been first filed with the Clerk and made available to the members. This
896 rule shall not be suspended unless by unanimous consent of the members present.

897 [Added Feb. 4, 2010; Amended Jan. 29, 2015.]

898 34. Bills from the Senate, after their first reading, shall be referred to a committee of the House.
899 [45.] (26.)

900 [Amended Jan. 26, 1999.]

901 35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall
902 be referred to the committee on Bills in Third Reading, provided that the journal shall reflect the
903 referral. [46.] (36.)

904 [Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007; Jan. 23, 2013.]

905 36. No bill shall be proposed or introduced unless received from the Senate, reported by a
906 committee, or moved as an amendment to the report of a committee. [47.] (36.)

907 37. Bills, resolves and other papers that have been, or, under the rules or usage of the House,
908 are to be made available in a format to be determined by the Speaker in consultation with the
909 Clerk, shall be read by their titles only, unless the full reading is requested by vote of a majority
910 of those members present and voting.

911 [Amended Jan. 9, 2003, Amended, Jan. 23, 2007.] [48.] (29.)

912 38. When a bill, resolve, order, petition or memorial has been finally rejected or disposed of
913 by the House, no measure substantially the same shall be introduced by any committee or
914 member during the same session. This rule shall not be suspended unless by unanimous consent
915 of the members present. [49.] (54.)

916 39. No bill shall be passed to be engrossed without having been read on three separate
917 legislative days. [51.] (28.)

918 [Amended Jan. 11, 1985.]

919 40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion
920 to strike out the enacting clause of a bill shall be received when the bill is before the House for
921 enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be
922 received before the adoption of the emergency preamble and, if suspended, the amendment may
923 contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the
924 Governor with a recommendation of amendment in accordance with the provisions of Article

925 LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills
926 proposed by the Senate and sent to the House for concurrence, which amendments shall be
927 subject to the provisions of Rule35 , provided, however, that an affirmative vote on a motion to
928 suspend this rule shall be required in order to offer an amendment to such an engrossed bill when
929 the question before the House is on adoption of an emergency preamble, re-enactment or
930 enactment, as the case may be. [53.] (49.)

931 [Amended, Jan. 23, 2007; Jan. 20, 2011; Jan. 23, 2013; Jan. 29, 2015.]

932 41. Bills received from the Senate and bills reported favorably by committees, when not
933 referred to another standing committee of the House, shall, prior to being placed in the Orders of
934 the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received
935 from and adopted by the Senate, or reported in the House by committees, shall, if proposed for
936 joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)

937 [Amended Jan. 14, 1997; Jan. 26, 1999.]

938 42. Reports of committees, not by bill or resolve, including orders if proposed for joint
939 adoption, after they are received from the Senate, or made in the House, as the case may be,
940 shall, unless subject to the provisions of any other House or joint rules, be referred to the
941 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to
942 be discharged from further consideration of a subject, and recommending that it be referred or
943 recommitted to another committee, or a report of a committee recommending that a matter be
944 placed on file, shall be immediately considered. Reports of committees on proposals for
945 amendments to the Constitution shall be dealt with in accordance with the provisions of Joint
946 Rule23 . [57.] (36.)

947 [Amended Jan. 14, 1997; Jan. 29, 2015.]

948 42A. The Clerk shall, prior to 3 o'clock P.M., on the day preceding a session, make available
949 by electronic communication or other means, a list of all reports of the committee on Steering,
950 Policy and Scheduling, asking to be discharged from further consideration of subjects, and
951 recommending that the subjects be referred to other committees.

952 [Adopted Jan. 26, 2005; Amended Jan. 29, 2015.]

953 43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day
954 for such reading. [58.] (32.)

955 Special Rules Affecting the Course of Proceedings.

956 44. The Speaker may designate when an informal session of the House shall be held provided
957 said Speaker gives notice of such informal session at a prior session of the House. The Speaker
958 may, in cases of emergency, cancel a session or declare any session of the House to be an
959 informal session. At an informal session the House shall only consider reports of committees,
960 papers from the Senate, bills for enactment or resolves for final passage, bills containing
961 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at
962 such informal session shall be placed in the Orders of the Day for the succeeding day, and no
963 new business shall be entertained, except by unanimous consent.

964 Formal debate, or the taking of the sense of the House by yeas and nays shall not be
965 conducted during such informal session.

966 Upon the receipt of a petition signed by at least a majority of the members elected to the
967 House, so requesting, the Speaker shall, when the House is meeting in informal session under the

968 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said
969 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the
970 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the
971 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the
972 members present. [59.] (5A.)

973 [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9,
974 2003; Feb. 11, 2009.]

975 45. After entering upon the consideration of the Orders of the Day, the House shall proceed
976 with them in regular course as follows: Matters not giving rise to a motion or debate shall first be
977 disposed of in the order in which they stand in the Calendar; after which the matters that were
978 passed over shall be considered in like order and disposed. The provisions of this paragraph shall
979 not be suspended unless by unanimous consent of the members present.

980 Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the
981 committee on Ways and Means and the committee on Bills in the Third Reading may present
982 matters for consideration of the House after approval of two-thirds of the members present and
983 voting, without debate. [59.] (37.) [See Rule 47.]

984 [Amended Jan. 12, 1981; Jan. 12, 1983; Feb. 11, 2009.]

985 46. When the House does not finish the consideration of the Orders of the Day, those which
986 had not been acted upon shall be the Orders of the Day for the next and each succeeding day
987 until disposed of, and shall be entered in the Calendar, without change in their order, to precede
988 matters added under Rule seven A; provided, however, that all other matters shall be listed in
989 numerical order by Calendar item.

990 The unfinished business in which the House was engaged at the time of adjournment shall
991 have the preference in the Orders of the Day for the next day. [60.] (35.)

992 [Amended Jan. 12, 1987; Jan. 26, 1999.]

993 47. No matter which has been duly placed in the Orders of the Day shall be discharged
994 therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

995 Voting.

996 48. Members desiring to be excused from voting shall make application to that effect before
997 the division of the House or the taking of the yeas and nays is begun. Such application may be
998 accompanied by a brief statement of reasons by the member. A member absent from the House
999 for a formal session period of a day or longer shall notify the Clerk in writing of the intended
1000 absence. A member absent during a formal session for an extended period or for the remainder of
1001 the session shall notify the Clerk in person. The Clerk shall provide a written notice to any such
1002 absent member.

1003 The Clerk shall disable the voting station of any such member notifying the Clerk of an absence
1004 pursuant to this Rule. The Clerk shall also disable the voting station of any member failing to
1005 answer the first non-quorum roll call of a legislative sitting; provided, however, that the Clerk
1006 shall reactivate the voting station upon receiving notification of the member's return to the
1007 House Chamber. ([64.] (57.))

1008 [Amended Feb. 11, 2009.]

1009 49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea
1010 and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their

1011 seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a
1012 person who has been elected Speaker pro tempore, may designate some member or a court
1013 officer to cast a vote for him/her on any vote taken on the electronic voting system while such
1014 member is presiding. Said designated member performing the duties of the Chair, or Speaker pro
1015 tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker
1016 shall state the pending question before opening the system for voting.

1017 The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber,
1018 but who is unable to vote due to a malfunction of his/her voting station or inability to open
1019 his/her voting station.

1020 Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented
1021 from voting personally using the electronic voting system because of physical disability, said
1022 member shall, if present in the State House, be excused from so voting and the Speaker shall
1023 assign a court officer to cast said member's vote so long as said physical disability continues;
1024 provided that the Speaker shall announce the action of the Chair to the membership prior to
1025 assigning a court officer to cast the member's vote and provided further that the Speaker shall
1026 announce the action to the membership the first time a vote is cast for that member on each
1027 successive day. [65.]

1028 [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011; Feb. 11,
1029 2009.]

1030 50. When a question is put, the sense of the House shall be taken by the voices of the
1031 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.
1032 If the Speaker is unable to decide by the sound of the voices, or if the announcement made

1033 thereupon is doubted by a member rising in his/her place for that purpose, the Speaker shall
1034 order a division of the number voting in the affirmative and in the negative, without further
1035 debate upon the question. [66.] (55.)

1036 [Amended Jan. 11, 1985; Feb. 11, 2009.]

1037 51. When a return by division of the members voting in the affirmative and in the negative is
1038 ordered, the members for or against the question, when called on by the Speaker, shall rise in
1039 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a
1040 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall
1041 stand. [67.]

1042 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent
1043 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,
1044 state the pending question and, after opening the electronic voting system, instruct the members
1045 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall
1046 close said system and cause totals to be displayed and a record made of how each member
1047 present voted; provided, that if at any time during said voting period any standing, joint or
1048 conference committee is meeting in public or executive sessions, the Speaker shall leave the
1049 electronic voting machine open for not less than 5 minutes.

1050 Any member desiring to be recorded as being “present” when a yea and nay vote is taken on
1051 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and
1052 before the vote is announced.

1053 In the event the electronic voting system is not in operating order, the roll of the House shall
1054 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to

1055 answer “present” who was not on the floor before the vote is declared; provided, however, that a
1056 member, who was in the State House on a previous roll call, may be recorded by reporting to the
1057 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is
1058 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the
1059 member who is speaking on the floor; provided, however, that such request may be announced to
1060 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond
1061 said five minute period. Once the voting has begun it shall not be interrupted except for the
1062 purpose of questioning the validity of a member’s vote before the result is announced. Except as
1063 heretofore provided, any member who shall vote or attempt to vote for another member or any
1064 person not a member who votes or attempts to vote for a member, or any member or other person
1065 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting
1066 equipment used by the House, or change the records thereon shall be punished in such manner as
1067 the House determines; and provided further, that such a violation shall be reported to the Ethics
1068 Committee. [68.] (56, 57.)

1069 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9,
1070 2003; Jan. 26, 2005; Feb. 11, 2009; Jan 20, 2011.]

1071 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been
1072 ordered before the question is put, the proceedings under rules fifty and fifty-one relative to
1073 verification of the vote by the voices of the members or by a return of divisions shall be omitted;
1074 if not, they may be called for in lieu of a return by divisions when the Speaker’s announcement is
1075 doubted by a member rising in his/her place, and, if then ordered, the proceedings under rules
1076 fifty and fifty-one shall be omitted. [69.] (52.)

1077 [Amended Jan. 26, 1999.]

1078 Reconsideration.

1079 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on
1080 which the vote was taken, or before the Orders of the Day have been taken up on the next day
1081 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion
1082 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the
1083 succeeding day, the motion shall be considered forthwith except that if said motion is moved on
1084 a day on which an informal session has been designated, it shall be placed in the Orders of the
1085 Day for the succeeding day. If reconsideration is moved after July first of the second annual
1086 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not
1087 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
1088 time when the main question to which it relates is under consideration; and provided, further,
1089 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not
1090 remove the main subject under consideration from before the House, but shall be considered at
1091 the time when it is made. This rule shall not be suspended unless by unanimous consent of the
1092 members present. [70.] (53.)

1093 [Amended Jan. 12, 1981, Jan. 23, 2007.]

1094 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and
1095 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the
1096 following motions:

1097 to recess,

1098 to adjourn,
1099 on sustaining a ruling of the Chair,
1100 to close debate at a specified time,
1101 to postpone if voted in the negative,
1102 to discharge or direct a committee to report,
1103 to commit or recommit,
1104 for second or subsequent legislative days,
1105 for the previous question, or
1106 for suspension of rules.

1107 This rule shall not be suspended unless by unanimous consent of the members present. [71.]

1108 (53.)

1109 [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1110 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall
1111 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or
1112 incidental question, debate shall be limited to ten minutes, and no member shall occupy more
1113 than three minutes.

1114 If the House has voted to close debate on any question, a motion to reconsider said question
1115 shall be decided without debate. [72.] (52.)

1116 [Amended Jan. 12, 1981; Jan. 12, 1987.]

1117 RULES OF DEBATE.

1118 57. Every member, when about to speak, shall rise and respectfully address the Speaker and
1119 shall confine himself/herself to the question under debate. [73.] (39.)

1120 [Amended Jan. 11, 1985.]

1121 58. Every member while speaking shall avoid personalities; and shall sit down when finished.
1122 No member shall speak out of his/her place without leave of the Speaker. [73.] (39.)

1123 When two or more members rise at the same time, the Speaker shall name the member
1124 entitled to the floor, preferring one who rises in his/her place to one who does not. [74.] (40.)

1125 [Amended Jan. 11, 1985.]

1126 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly
1127 procedure of the House, the Speaker, after warning the member of such violations, shall call the
1128 member to order, and order that member to take his/her seat. A member so called to order shall
1129 lose the right to speak on the pending subject-matter but shall not be debarred from voting. A
1130 member so called to order shall remain seated until the House begins consideration of another
1131 subject-matter or unless the Speaker earlier returns to the member his/her rights to the floor.

1132 If a member so called to order refuses to immediately take his/her seat, the Speaker shall
1133 immediately name that member, who shall be escorted from the Chamber under escort of the
1134 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of
1135 three to be appointed by the Speaker. Said special committee shall make a report to the House of
1136 its recommendations, which report shall be read and accepted.

1137 Having been named, a member shall not be allowed to resume his/her seat until said member
1138 has complied with the recommendations of the committee as accepted by the House.

1139 If, after a member is seated or named, the action of the Speaker is appealed, the House shall
1140 decide the case by a majority vote of the members present and voting, but if there is no
1141 immediate appeal, the decision of the Speaker shall be conclusive.

1142 [Amended Jan. 12, 1981; Jan. 11, 1985; Feb. 11, 2009.]

1143 60. No member shall interrupt another while speaking except by rising to a point of order, to a
1144 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking
1145 to yield.

1146 Members may rise to explain matters personal to them by leave of the presiding officer, but
1147 shall not discuss pending questions in such explanations.

1148 Questions of personal privilege shall be limited to questions affecting the rights, reputation, and
1149 conduct of the member in his/her representative capacities.

1150 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by
1151 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

1152 [Amended Jan. 12, 1981; Feb. 11, 2009.]

1153 61. No member shall speak more than once to the prevention of those who have not spoken
1154 and desire to speak on the same question.

1155 This prohibition shall not apply to those members designated by the committee or committees
1156 reporting the bill.

1157 No member shall occupy more than thirty minutes at a time while speaking on any question
1158 where debate is unlimited.

1159 Unless the operation of another rule provides to the contrary (such as previous question,
1160 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any
1161 question when no other member who has not spoken is seeking recognition by the Chair. [76.]
1162 (41.)

1163 Motions.

1164 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1165 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may
1166 be withdrawn by the mover if no objection is made. [78.] (44.)

1167 [Amended Jan. 12, 1981.]

1168 Limit of Debate.

1169 64. A motion to recess or adjourn shall always be first in order, and shall be decided without
1170 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to
1171 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member
1172 shall speak more than three minutes. On the motion to discharge any committee, or on a motion
1173 directing any committee to report matters before it, not exceeding fifteen minutes shall be
1174 allowed for debate, and no member shall speak more than three minutes.

1175 If the main motion is undebatable, any subsidiary or incidental motion made relating to it
1176 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

1177 [Amended Jan. 12, 1981.]

1178 64A. Debate on the question on adoption of orders for second and subsequent legislative days
1179 shall be limited to ten minutes, and no member shall speak more than three minutes. After
1180 entering into a second or subsequent legislative day, the House shall immediately proceed to
1181 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of
1182 the Day. This rule shall not be suspended unless by unanimous consent of the members present.

1183 [Adopted Jan. 12, 1983.]

1184 65. When a question is before the House, until it is disposed of, the Speaker shall receive no
1185 motion that does not relate to the same, except the motion to recess or adjourn or some other
1186 motion that has precedence either by express rule of the House, or because it is privileged in its
1187 nature; and the Speaker shall receive no motion relating to the same, except,—

1188 for the previous question,

1189 to close debate at a specified time,

1190 to postpone to a time certain,

1191 to commit (or recommit),

1192 to amend, See Rules 66, 67 and 68

1193 See Rules 64, 69 and 70

1194 See Rules 64 and 70

1195 See Rules 64 and 71

1196 See Rules 72, 73, 74 and 75

1197 — which several motions shall have precedence in the order in which they are arranged in
1198 this rule. [80.] (46.)

1199 [Amended Jan. 11, 1985.]

1200 Previous Question.

1201 66. Any member may call for the previous question on the main question.

1202 The previous question shall be put in the following form: “Shall the main question be now
1203 put?” and all debate on the main question shall be suspended until the previous question is
1204 decided.

1205 The adoption of the previous question shall require the affirmative vote of two-thirds of the
1206 members present and voting and shall put an end to all debate, and bring the House to direct vote
1207 upon pending amendments, if any, in their regular order, and then upon the main question.

1208 A motion to reconsider the vote on any of the pending amendments shall be decided without
1209 debate. [81.]

1210 [Amended Jan. 12, 1981.]

1211 67. Any member may call for the previous question on any pending amendment.

1212 The previous question shall be put in the following form: “Shall the question on adoption of
1213 the amendment be now put?” and all debate shall be suspended until the previous question is
1214 decided.

1215 The adoption of the previous question on a pending amendment shall require the affirmative
1216 vote of two-thirds of the members present and voting and shall put an end to all debate and bring
1217 the House to a direct vote upon the pending amendment.

1218 A motion to reconsider the vote on the pending amendment shall be decided without debate.

1219 [Amended Jan. 12, 1981.]

1220 68. The previous question shall be decided without debate.

1221 Motion to Close Debate at a Specified Time.

1222 69. Debate may be closed at any time not less than thirty minutes from the adoption of a
1223 motion to that effect. This rule shall not be suspended unless by unanimous consent of the
1224 members present. [85.] (47.)

1225 Motion to Postpone to a Time Certain.

1226 70. When a motion is made to postpone to a time certain, and different times are proposed,
1227 the question shall first be taken on the most remote time; and the time shall be determined before
1228 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1229 Motion to Commit.

1230 71. When a motion is made to commit, and different committees are proposed, the question
1231 shall be taken in the following order:

1232 a standing committee of the House,

1233 a select committee of the House,

1234 a joint standing committee,

1235 a joint selected committee;

1236 and a subject may be recommitted to the same committee or to another committee at the

1237 pleasure of the House. [88.] (48.)

1238 Motion to Amend.

1239 72. A motion to amend an amendment may be received; but no amendment in the third degree

1240 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members

1241 present. [89.]

1242 [Amended Jan. 12, 1983.]

1243 73. No motion or proposition on a subject different from that under consideration shall be

1244 admitted under color of amendment. This rule shall not be suspended unless by unanimous

1245 consent of the members present. [90.] (50.)

1246 [Amended Jan. 12, 1987.]

1247 73A. No motion to amend a report from the committee on Ways and Means or a report from

1248 the committee on Bills in the Third Reading, when such an amendment contains an expenditure

1249 of public money or an increase or decrease in taxes, shall be considered unless a brief

1250 explanation of the amendment is stated.

1251 [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1252 74. A question containing two or more propositions capable of division shall be divided

1253 whenever desired by any member, if the question includes points so distinct and separate that,

1254 one of them being taken away, the other will stand as a complete proposition. The motion to
1255 strike out and insert shall be considered as one proposition and therefore indivisible. The
1256 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or
1257 similar main motions shall be considered as indivisible under this rule. This rule shall not be
1258 suspended unless by unanimous consent of the members present. [91.] (45.)

1259 [Amended Jan. 12, 1983.]

1260 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule
1261 70.]

1262 Declaration of Recess.

1263 76. The Speaker may declare a recess of 15 minutes duration, or less.

1264 [Amended Jan. 9, 1991; Jan. 29, 2015.]

1265 Appeal.

1266 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and
1267 no other business shall be in order until the question on the appeal has been disposed of. Debate
1268 shall be limited to 15 minutes on the question of sustaining a ruling by the Chair, and no member
1269 shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

1270 [Amended Jan. 9, 1989; Jan. 29, 2015.]

1271 Resolves.

1272 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall
1273 apply likewise to such resolves as require the concurrence of the Senate and approval by the
1274 Governor in order to become law and have force as such. [95.]

1275 Seats.

1276 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such
1277 persons as he/she may employ to assist said Clerk, and that on the left to the use of the chairman
1278 and vice-chairman of the committee on Bills in the Third Reading.

1279 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other
1280 than seats assigned under paragraph (1) of this rule, shall be his/her seat for the year and for such
1281 additional years as said member may elect so long as service in the House remains continuous.
1282 An exchange of seats may be made with the approval of the Speaker. [98.]

1283 [Amended Jan. 11, 1985; May 5, 1993.]

1284 Privilege of the Floor.

1285 80. The following persons shall be entitled to admission to the House of Representatives,
1286 during the session thereof, to stand in an area designated by the Speaker in the rear of the
1287 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1288 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary
1289 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,
1290 Attorney-General, Librarian and Assistant Librarian.

1291 (2) The members of the Senate.

1292 (3) Persons in the exercise of an official duty directly connected with the business of the
1293 House.

1294 (4) Contestants for seats in the House, whose papers are in the hands of a special committee
1295 of the House, may be admitted, while their cases are pending, to seats to be assigned by the
1296 Speaker.

1297 No other person shall be admitted to the floor during the session, except upon the permission
1298 of the Speaker.

1299 No legislative agent or counsel may be admitted to the floor of the House Chamber during a
1300 session unless that part of the session is ceremonial in nature in which no other legislative
1301 business is conducted.

1302 The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1303 This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60,
1304 61.)

1305 [Amended Jan. 9, 1991, Jan. 23, 2007.]

1306 Representatives' Chamber and Adjoining Rooms.

1307 81. Use of the Representatives' Chamber shall be subject to the approval of the Speaker or the
1308 committee on Rules.

1309 No legislative agent or counsel shall be admitted to the members' corridor or adjoining
1310 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except
1311 persons entitled to the privileges of the floor of the House unless upon written invitation of a

1312 member bearing the name of the member and the person the member invites. Upon entering, the
1313 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph
1314 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which
1315 members of the general public are allowed to attend.

1316 No person shall be admitted to the north gallery of the House except upon a card of the
1317 Speaker.

1318 Subject to the approval and direction of the committee on Rules during the session and of the
1319 Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be under
1320 the control of the organization of legislative reporters known as the Massachusetts State House
1321 Press Association and the State House Broadcasters Association.

1322 Every legislative reporter desiring admission to the reporters' galleries shall state in writing
1323 that he/she is not the agent or representative of any person or corporation interested in legislation
1324 before the General Court, and will not act as representative of any such person or corporation
1325 while retaining a place in the galleries; but nothing herein contained shall prevent such
1326 legislative reporter from engaging in other employment, provided such other employment is
1327 specifically approved by the committee on Rules and reported to the House.

1328 All formal sessions of the House of Representatives shall be open to both commercial and
1329 public radio and television, except designated times during such sessions, as determined by the
1330 House, reserved for the consideration of non-controversial business which does not give rise to
1331 debate. The manner and conditions of such broadcasts shall be established by the Speaker.
1332 Television, radio or web-broadcasts may be prohibited on any given day by the Speaker with the
1333 approval of the House.

1334 This rule shall not be suspended unless by unanimous consent of the members present. [100.]
1335 (59.)

1336 [Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23,
1337 2007.]

1338 Quorum.

1339 82. Eighty-one members shall constitute a quorum for the organization of the House and the
1340 transaction of business. [See amendments to the Constitution, Art. XXXIII.]

1341 In the event that a quorum is not present, the presiding officer shall compel the attendance of
1342 a quorum. During the absence of a quorum, no other business may be transacted or motions
1343 entertained except a declaration of adjournment or a recess by the Speaker. [105.]

1344 [Amended Jan. 12, 1981; Jan. 14, 1997.]

1345 Debate on Motions for Suspension of Rules.

1346 83. The question of suspension of House rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83
1347 shall be decided without debate. Debate upon the motion for the suspension of any other House
1348 rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no
1349 member shall occupy more than three minutes. This rule shall not be suspended unless by
1350 unanimous consent of the members present. [102.] (52.)

1351 [Amended Jan. 12, 1981; Jan. 9, 1989.]

1352 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,
1353 altered or repealed unless two-thirds of the members present and voting consent thereto. This
1354 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

1355 [Amended Jan. 12, 1981.]

1356 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive
1357 any requirement relative to the electronic availability and posting on the internet of any bills,
1358 resolves, summaries or other documents contained herein; provided, however, that if the clerk so
1359 waives any such requirement he shall make paper copies of the documents available to all
1360 members and the public within the limitation established for the electronic availability and
1361 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1362 [Adopted Feb. 11, 2009.]

1363 Reference to Committee on Rules.

1364 85. All motions or orders authorizing committees of the House to travel or to employ
1365 stenographers, all propositions involving special investigations by committees of the House, all
1366 resolutions presented for adoption by the House only, and all motions and orders except those
1367 which relate to the procedure of the House or are privileged in their nature or are authorized by
1368 rule⁶⁵, shall be referred without debate to the committee on Rules, which shall report thereon,
1369 recommending what action should be taken. The committee shall not recommend suspension of
1370 Joint Rule⁹, unless evidence satisfactory to the committee is produced that the petitioners have
1371 previously given notice, by public advertisement or otherwise, equivalent to that required by
1372 Chapter 3 of the General Laws. [104.] (13A.)

1373 [Amended Jan. 29, 2015.]

1374 85A. The House Business Manager, with the approval of House Counsel, shall provide that
1375 outside, independent audits of House financial accounts be conducted for each fiscal year upon
1376 receipt of the fiscal year end appropriation activity with balance report from the comptroller of
1377 the Commonwealth. The audit shall be conducted in accordance with auditing standards
1378 generally accepted in the United States of America and the standards applicable to financial
1379 audits contained in Government Auditing Standards, issued by the Comptroller General of the
1380 United States. The House Business Manager shall provide the independent auditor with
1381 requested documents for such audit. A copy of such audit shall be filed with the Clerk of the
1382 House and said copies shall be made available to the members and the general public upon
1383 request.

1384 [Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

1385 Parliamentary Practice.

1386 86. The rules of parliamentary practice shall govern the House in all cases to which they are
1387 applicable, and in which they are not inconsistent with these rules or the joint rules of the two
1388 branches. (62.)

1389 Procurement.

1390 87. (a) All procurement for goods or services shall be completed by the House Business
1391 Manager. (b) All procurements for goods or services shall, to the extent practicable, be made
1392 from the statewide procurement list established by the operational services division.

1393 (c) Upon certification by the House Business Manager that a necessary procurement cannot be
1394 made using the statewide procurement list established by the operational services division, the
1395 House Business Manager may procure the required goods or services pursuant to the following:

1396 (i) for a procurement of a supply or service in an amount of less than \$ 10,000, the House
1397 Business Manager shall use sound business practices;

1398 (ii) for a procurement of a supply or service in an amount of \$10,000 , but less than \$100,000
1399 50,000 [Note: "50,000" stricken by House order No. 56 of Feb. 19, 2015], the House Business
1400 Manager shall seek written or oral quotations from no fewer than 3 persons customarily
1401 providing such supply or service. The House Business Manager shall record the names and
1402 addresses of all persons from whom quotations were sought, the names of the persons submitting
1403 quotations and the date and amount of each quotation. The House Business Manager shall award
1404 the contract to the responsible person whose quotation offers the needed quality of supply or
1405 service and which represents the best value for the Commonwealth;

1406 (iii) for a procurement of a supply or service in an amount exceeding \$100,000 the House
1407 Business Manager shall seek proposals through a competitive bid process established by the
1408 Office of House Counsel; provided, however, that the Office of House Counsel shall file the
1409 competitive bid process with the House Clerk no later than March 31 of the first year of the
1410 session.

1411 (d) All procurements for legal consulting services shall be handled exclusively by the Office of
1412 House Counsel in compliance with the provisions of this rule. Prior to executing a contract for
1413 legal consulting services, said office shall certify, in writing, to the Clerk of the House of

1414 Representatives that no employee of the House of Representatives possesses the required skills
1415 to complete the service which is the subject of the contract.

1416 (e) The House Business Manager shall maintain a file on each contract not executed using the
1417 statewide procurement list established by the operational services division and in excess of
1418 \$10,000 and shall include in such file a copy of all documents related to the contract. The House
1419 Business Manager shall make the file available for inspection within said office by members of
1420 the House for at least 3 years from the date of final payment under the contract; provided,
1421 however, that the Business Manager, in consultation with the Counsel to House of
1422 Representatives appointed pursuant to section 51 of chapter 3 of the General Laws, shall redact
1423 from said file any information which (i) is legally privileged; (ii) is proprietary; or (iii) is related
1424 to individual members or House personnel.

1425 (f) Whenever the time required to comply with a requirement of this rule would endanger the
1426 health, safety or convenience of the members, staff or visitors to the House of Representatives
1427 the House Business Manager may make an emergency procurement without satisfying the
1428 requirement of this rule; provided, however, that both the House Business Manager and the
1429 Counsel to the House of Representatives appointed pursuant to section 51 of chapter 3 of the
1430 General Laws certify in writing that: (i) an emergency exists and explain the nature thereof; (ii)
1431 said emergency procurement is limited to only supplies or services necessary to meet the
1432 emergency; (iii) conforms to the requirements of this rule to the extent practicable under the
1433 circumstances; (iv) each contractor's name; (v) includes the amount and the type of each
1434 contract; (vi) includes the supplies or services provided under each contract; (vii) and includes
1435 the basis for determining the need for an emergency procurement. Such certification shall be
1436 filed with the Clerk of the House prior to an emergency procurement.

1437 [Adopted Jan. 20, 2011, Amended Jan. 23, 2013; Jan. 29, 2015.]

1438 H.R., January 29, 2015.

1439 ADOPTED*

1440 STEVEN T. JAMES, Clerk.

1441 * Amended [For the amended text, see House order No. 56] February 19, 2015.